

March 10, 2000

Eric Jeffries  
712 Glenshire  
Cincinnati, OH 45226

Claim #402696

Dear Mr. Jeffries:

We would like to take this opportunity to thank you for the courtesies you extended to Mr. Rick Turek during his visit with you on February 24, 2000. At this time, we would like to update you on the status of your claim.

As you may recall, your policy states that "Total Disability" and "totally disabled" means that due to Injury or Sickness, the insured:

1. is substantially unable to perform the material duties of his/her occupation; and
2. is receiving care by a Physician which is appropriate for the condition causing the disability. We will waive this requirement when continued care would be of no benefit to the insured.

Our medical consultant has recently completed a review of the medical documentation contained within your claim file. Based on this review, we note a history of periodic subjective complaints, however, there is no objective documentation to support these complaints or a diagnosis of a medical condition. Further, although your history and subjective complaints appear, at times, to be consistent with some kind of disorder, this documentation does not appear to support a Total Disability as defined by your policy.

Currently, we await the receipt of additional claim related documentation. In addition, we would also like to give you the opportunity to provide us with any objective documentation you feel may impact the above determination. We ask that you please provide us with this documentation as soon as possible so that we may proceed with the processing of your claim. Upon receipt and review of the above documentation, we will be in contact with you regarding the status of your claim. If there is no objective documentation you wish to submit, we will proceed with the processing of your claim with the documentation already contained within your claim file.

We continue to await the receipt of the 1996, 1997, 1998 and 1999 Tax Returns you indicated, to Mr. Turek, would be submitted to this office. Please note that if you are unable to complete your 1999 Tax Returns prior to the April 15 deadline, we ask that you provide us with a copy of your request, to the IRS, for an extension to file said Tax Returns.

In the meantime, we have enclosed a check for \$36,399.00 representing benefits for the period of December 25, 1999 to March 25, 2000. Please be advised, we have issued the enclosed benefits, on a good faith basis, in order to be of service to you in lieu of the above. The issuing of these benefits in no way prejudices and of the rights and defenses afforded to us under the terms and provisions of your policy.

Once again, upon receipt and review of the documentation indicated above, we will be in contact with you regarding the status of your claim.

If you should have any questions or concerns regarding the above, please feel free to contact us.

Sincerely,

William P. Gelardi, Jr.  
Disability Claim Specialist  
Disability Management Services, Inc.

Enc: CK, PY, RE